

NATOA SURVEY ON CUSTOMER SERVICE STANDARDS

If possible, please enclose a copy of your standards clearly labelled with:

Jurisdiction Name / Operator Name / Date

Jurisdiction/State IL - Oak Park

Operator(s) Cablevision of Chicago

FCC Community Unit Identifier # IL0301

Name/Title Assistant to the Village Manager

Phone 708 383 6400 x2284

Fax 708 383-9584

IN YOUR OWN OPINION.....

15. Are these new standards different?

How?

YES

NO

same subjects as already regulated but more detailed, especially on phone calls + service calls

16. Are these standards more stringent?

How?

YES

NO

in areas, because they are more detailed; but small fines and dispute resolution process not found in FCC rules.

17. Why were they necessary in your community?

Cable Commission felt it was an extra tool to ensure cable companies offering the best service to consumers

18. What sort of evaluation methods are you using to determine compliance? (describe)

none yet except tracking complaints as we always have

19. Has the operator cooperated in providing necessary or required data?

YES

NO

20. Is your operator's compliance with FCC or your rules generally:

GOOD

OK

BAD

21. Has your operator attempted to pass through costs of complying with the FCC rules?

YES

NO

22. Have you seen a decrease in subscriber complaints about service after you adopted FCC customer service rules?

YES

NO

23. Did you see a decrease in complaints after you implemented your own rules?

YES

NO

24. Are there consumer protection laws in your state that you think apply to cable operators or could be applied?

YES

NO

Don't know

1. Have you adopted the FCC customer service standards and notified operator of same?

YES

NO

2. Date you adopted the rules? Dec 5, 1994

3. Date they become effective in your franchise? Feb 1, 1995

4. Did you have customer service standards in place prior to the FCC's rules?

YES

NO

5. Date implemented? in franchise renewal of 1990

6. Implemented during franchise?

YES

NO

7. Did they require a franchise modification?

YES

NO

8. Implemented during transfer?

YES

NO

9. Implemented at renewal?

YES

NO

10. Were these standards different or more stringent than the FCC's rules?

YES

NO

11. Specific problems your standards addressed?

- location of office locally
- telephone inquiries 24 hours a day 7 days a week
- walk-in hours in evening + weekend
- credits policy - maintenance policy
- written communications policy

12. Did you pass different or more stringent rules after the FCC rules came out?

YES

NO

13. What date?

14. Franchise modification?

YES

NO

NATOA SURVEY ON CUSTOMER SERVICE STANDARDS

Jurisdiction/State Fairfax County, Virginia
Media General Cable of Fairfax, Inc.
Operator(s) Time Warner of Reston, VA

Warner - VA0046
FCC Community Unit Identifier # MGC-VA0301

Name/Title Walter "Skip" Munster, Jr.
Department of Consumer Affairs
Chief, Cable Regulatory Division

Phone (703) 324-5902

Fax (703) 222-5921

1. Have you adopted the FCC customer service standards and notified operator of same?

☒ YES ☐ NO

2. Date you adopted the rules? FCC-7/1/93
Fairfax County 3/2/94

3. Date they become effective in your franchise?
6/1/94

4. Did you have customer service standards in place prior to the FCC's rules?

☒ YES ☐ NO

5. Date implemented? September 1982

6. Implemented during franchise? ☒ YES ☐ NO
At the beginning of the Franchise

7. Did they require a franchise modification?

YES ☐ NO ☒

8. Implemented during transfer? YES ☐ NO ☒

9. Implemented at renewal? YES ☐ NO ☒

10. Were these standards different or more stringent than the FCC's rules?

☒ YES ☐ NO

11. Specific problems your standards addressed?
• 24 hr/7 day phone answering for all complaints

- Pro-rata credit for outages
- Billing
- Rate change notifications
- Subscriber terminations
- Appointments for service & installation

12. Did you pass different or more stringent rules after the FCC rules came out?

YES ☐ NO ☒

13. What date?

14. Franchise modification? YES ☐ NO ☒

If possible, please enclose a copy of your standards clearly labelled with:

Jurisdiction Name / Operator Name / Date

IN YOUR OWN OPINION.....

15. Are these new standards different?

How? ☒ YES ☐ NO

Provided more control over customer service standards and installs. Provided quantifiable measures to gauge performance of operators.

16. Are these standards more stringent?

How? ☐ YES ☐ NO
Varies. In some cases, County's are more stringent, see below and attachments

17. Why were they necessary in your community?

Standards now force operators to meet certain specific time criteria which was not defined or enforced in the past. It provides consumers with some definitive target dates for installation and/or service.

18. What sort of evaluation methods are you using to determine compliance? (describe)

Quarterly Consumer Service Standards reports. We also spot check with phone calls to operators to verify compliance.

19. Has the operator cooperated in providing necessary or required data?

☒ YES ☐ NO

Generally, Yes

20. Is your operator's compliance with FCC or your rules generally:

GOOD ☒ OK ☐ BAD

21. Has your operator attempted to pass through costs of complying with the FCC rules?

☒ YES ☐ NO

Passed through FCC Regulation costs on January 1, 1995.

22. Have you seen a decrease in subscriber complaints about service after you adopted FCC customer service rules?

YES ☐ NO ☒

23. Did you see a decrease in complaints after you implemented your own rules?

☒ YES ☐ NO

Rules implemented from start of franchise

24. Are there consumer protection laws in your state that you think apply to cable operators or could be applied?

YES ☐ NO ☒



FAIRFAX COUNTY

DEPARTMENT OF CONSUMER AFFAIRS
12000 Government Center Parkway
Suite 433, 4th Floor
Fairfax, Virginia 22035-0045

V I R G I N I A

Telephone: (703) 324-5949 Fax: (703) 222-5921
TDD: (703) 222-8653

March 2, 1994

Via Certified Mail - Return Receipt Requested

Mr. Thomas Waldrop
Chairman of the Board
Media General Cable of Fairfax
14650 Lee Road
Chantilly, Virginia 22021

Dear Mr. Waldrop:

As you know, the Federal Communications Commission (FCC), in compliance with Section 632 of the Federal "Cable Television Consumer Protection and Competition Act of 1992" (1992 Cable Act), has implemented national Consumer Protection and Customer Service standards for franchised cable operators. These standards are embodied in Part 76, Section 309 of Title 47 of the Code of Federal Regulations (CFR) and are self executing. Section I, paragraph 3 of the FCC's Report and Order released April 7, 1993 made these standards effective on a nationwide basis on July 1, 1993. Section 9-7-5 (a) of the Fairfax County Code states that the Grantee, in this case Media General Cable ("Media General" or "MGC"), shall operate and maintain the system in full compliance with the rules and regulations, including applicable amendments, of the Federal Communications Commission and all other applicable Federal, State, or County laws and regulations.

The FCC's Report stipulated that local franchising authorities must provide 90 days written notice of their intent to enforce the national standards. Pursuant, to federal and local law, the County hereby notifies you that it intends to enforce those FCC standards which are more stringent or cover different subject areas than those contained in the franchise Controlling Documents. Additionally, the County will continue to enforce its own customer service standards as provided in the franchise Controlling Documents for those standards additional to or more stringent than those provided by the FCC in its Rules.

Thomas Waldrop
March 2, 1994
Page 2

For your reference, using the FCC's customer service categories as a framework, standards we intend to enforce include, but are not limited to, the list enclosed with this letter. This list is compiled from applicable sections of the following franchise Controlling Documents:

- o Federal Communications Commission (FCC) Rules on Cable Television Consumer Protection and Customer Service, embodied in Title 47 CFR, Part 76 (Cable Television Service), Subpart H (General Operating Requirements), Section 76.309 (Customer Service Obligations) - referenced herein as "76.309...."
- o Code of the County of Fairfax, VA, Chapter 9 (Cable Communications) - referenced herein as "Code 9 - .."
- o Cable Television Franchise Agreement Between Fairfax County, VA and Media General Cable of Fairfax County, Inc., dated September 30, 1982 - referenced herein as "FA....."

In addition, we reserve the right, as allowed by the 1992 Cable Act and the FCC, to adopt stricter and/or additional rules than those described in the Report and Order.

If you have any questions on this subject, please do not hesitate to contact me or Bob Coates.

Sincerely,



Ron Mallard
Director and Cable
Television Administrator

Enclosure

cc: Robert J. Coates, III
Acting Chief, Cable
Regulatory Division

Customer Service Standards List

Cable System Office Hours and Telephone Availability

- o Trained company representatives will be available to respond to customer telephone inquiries during normal business hours. (FCC 76.309(c)1. Aii)
- o A Grantee shall employ an operator or maintain a telephone answering device twenty-four (24) hours per day, each day of the year, to receive subscriber complaints. (Code 9-7-5(b), FA 10.3)

Under normal operating conditions, telephone answering time by a customer representative, including wait time, shall not exceed thirty (30) seconds when the connection is made. If the call needs to be transferred, transfer time shall not exceed thirty (30) seconds. These standards shall be met no less than ninety (90) percent of the time under normal operating conditions, measured on a quarterly basis. (FCC 76.309(c) 1.B)

- o Under normal operating conditions, the customer will receive a busy signal less than three (3) percent of the time. (FCC 76.309(c) 1.D)
- o Grantee shall maintain an office within the County which shall be open and accessible to the public with adequate telephone service during normal business hours (Code 9-7-5(b)).
- o Customer service center and bill payment locations will be open at least during normal business hours and will be conveniently located. (FCC 76.309. 1.E)

Installations, Outages and Service Calls

- o Under normal operating conditions, each of the following FCC standards will be met no less than ninety five (95) percent of the time measured on a quarterly basis. County standards will be met at all times.
- o Standard installations will be performed within seven (7) business days after an order is placed. "Standard" installations are those that are located up to 125 feet from the existing distribution system. (FCC 76.309(c) 2.A)
- o Excluding conditions beyond the control of the operator, the cable operator will begin working on "service interruptions" promptly and in no event later than 24 hours after the interruption becomes known. (FCC 76.309(c) 2.B)
- o Grantee shall establish a maintenance service capable of promptly locating and correcting system malfunctions. Said

maintenance service shall respond at all hours to correct system malfunctions affecting one (1) or more percent of a Grantee's total number of subscribers. (Code 9-7-7(a)).

- o Grantee shall maintain a listed local telephone number which shall be available to subscribers for service calls, twenty-four (24) hours a day. Corrective action shall be completed as promptly as practicable. Appropriate records shall be made of service calls, showing when and what corrective action was completed. (Code 9-7-7(b), F.A. 10.4)
- o The "appointment window" alternatives for installations, service calls, and other installation activities will be either a specific time or, at maximum, a four hour time block during normal business hours. (The operator may schedule service calls and other installation activities outside of normal business hours for the express convenience of the customer.) FCC 76.309(c) 2.C)
- o An operator may not cancel an appointment with a customer after the close of business on the business day prior to the scheduled appointment. (FCC 76.309(c) 2.D)
- o If a cable operator representative is running late for an appointment with a customer and will not be able to keep the appointment as scheduled, the customer will be contacted. The appointment will be rescheduled, as necessary, at a time which is convenient for the customer. (FCC 76.309(c) 2.E)

Communications Between Cable Operators and Cable Subscribers

- o Notifications to subscribers -
- o The cable operator shall provide written information on each of the following areas at the time of installation of service, at least annually to subscribers, and at any time upon request:
 - products and services offered;
 - prices and options for programming services and conditions of subscription to programming and other services;
 - installation and service maintenance policies;
 - instruction on how to use the cable service;
 - channel positions of programming carried on the system; (FCC 76.309 (c) 3.A.1.i-v)
- o Billing and complaint procedures, including written information which shall include:

- (1) Name, address, mailing address, and telephone number of the Grantee's representative or representatives to whom the subscriber may submit consumer or service complaints.
 - (2) Business address, mailing address, and telephone number of the Cable Television Administrator to whom the subscriber may submit consumer or service complaints. (FCC 76.309(c) 3.A.1.vi, Code 9-7-7(c)).
- o Customers will be notified of any changes in programming services, or channel positions as soon as possible through announcements on the cable system and in writing. Notice must be given to subscribers a minimum of thirty (30) days in advance of such changes if the change is within the control of the cable operator. In addition, the cable operator shall notify subscribers thirty (30) days in advance of any significant changes in the other information required by the preceding paragraph, 76.309(c) 3.A.1. (FCC 76.309(c) 3.A.2.)

All charges to subscribers shall be consistent with a schedule of rates and charges for all services offered by a Grantee. Except as otherwise provided by the Board, any change in the schedule of rates and charges approved in accordance with subsection (c) of this Section or any automatic adjustment to a schedule of rates and charges approved pursuant to Section 9-4-1(b) shall not take effect until at least sixty days after approval. In addition, no change in rates or charges shall be implemented unless each subscriber subject to such change in rates and charges has been notified of the change at least sixty days in advance of the change. In lieu of Grantee providing sixty days written notice to each subscriber subject to the change, such notification may be cablecast to subscribers by Grantee in a manner approved by the Cable Television Administrator, but in the event a cable cast notice is provided to subscribers, Grantee also shall give each subscriber subject to the change written notice of the change no less than thirty days before the change is implemented. In addition, the Grantee shall provide oral or written notification of any pending changes to rates and charges to any person who requests cable television service or becomes a subscriber after any approval of changes to rates and charges but before the rate change becomes effective. Code 9-6-1(d).

- o A Grantee shall notify in writing each subscriber of all applicable fees and charges for providing cable television service prior to executing a contract of service with such subscriber or installing any equipment to serve such subscriber. (Code 9-6-1(g)).
- o A Grantee shall, at least thirty days prior to the date it intends to terminate service to any subscriber because of

the reason(s) of nonpayment of subscriber fees, notify such subscriber in writing of such intention, the reason therefore and the date such termination is to be effective. (Code 9-6-1 (k))

o **Billing**

- Bills will be clear, concise and understandable. Bills must be fully itemized, with itemizations including, but not limited to, basic and premium service charges and equipment charges. Bills will also clearly delineate all activity during the billing period, including optional charges, rebates and credits. (FCC 76.309(c). 3.B.i)
- In the case of a billing dispute, the cable operator must respond to a written complaint from a subscriber within thirty (30) days. (FCC 76.309(c) 3.B.ii).
- A customer shall have the right, at any time, to have its service disconnected without charge and with a refund of unused service charges paid to the customer within thirty days from the date of service. Refunds shall be made on a pro rata basis (Code 9-6-1(j)).

o **Refunds**

Refund checks will be issued promptly, but no later than either -

- (i) the customer's next billing cycle following resolution of the request or thirty (30) days, whichever is earlier, or
- (ii) the return of the equipment supplied by the cable operator if service is terminated. (FCC 76.309(c)3.C.i-ii)

o Credits for service will be issued no later than the customer's next billing cycle following the determination that a credit is warranted. (FCC 76.309(c) 3.D.)

o In the event that service to subscribers is totally interrupted for more than 24 hours, Grantee shall provide the subscribers so affected with a pro rata credit or rebate of the subscriber's fees paid or payable. (FA 10.6)

FCC Definitions

Normal Business Hours - The term "normal business hours" means those hours during which most similar businesses in the community are open to serve customers. In all cases, "normal business hours" must include some evening hours at least one night per week and/or some weekend hours. (FCC 76.309(c) 4.A)

Normal Operating Conditions - The term "normal operating conditions" means those service conditions which are within the control of the cable operator. Those conditions which are not within the control of the cable operator include, but are not limited to, natural disasters, civil disturbances, power outages, telephone network outages, and severe or unusual weather conditions. Those conditions which are ordinarily within the control of the cable operator include, but are not limited to, special promotions, pay-per-view events, rate increases, regular peak or seasonal demand periods, and maintenance or upgrade of the cable system. (FCC 76.309(c) 4.B.)

Service Interruption - The term "service interruption" means the loss of picture or sound on one or more cable channels. (FCC 76.309(c) 4.C)

NATOA SURVEY ON CUSTOMER SERVICE STANDARDS

If possible, please enclose a copy of your standards clearly labelled with:

Jurisdiction Name / Operator Name / Date

Jurisdiction/State LEXINGTON, KY

Operator(s) TELE CABLE OF LEXINGTON

FCC Community Unit Identifier # KY 0469

Name/Title JOE EWALT
CABLE OFFICER

Phone (606) 258-3118

Fax (606) 258-3194

IN YOUR OWN OPINION.....

15. Are these new standards different?
How? YES NO

16. Are these standards more stringent?
How? YES NO

1. Have you adopted the FCC customer service standards and notified operator of same?

YES ☒ NO

2. Date you adopted the rules?

3. Date they become effective in your franchise?

4. Did you have customer service standards in place prior to the FCC's rules? ☒ YES NO

5. Date implemented? Sept 1992

6. Implemented during franchise? YES ☒ NO

7. Did they require a franchise modification? YES ☒ NO

8. Implemented during transfer? YES ☒ NO

9. Implemented at renewal? ☒ YES NO

10. Were these standards different or more stringent than the FCC's rules? ☒ YES NO

11. Specific problems your standards addressed?

Telephone answer requirements
Office hours
Response time on outages

12. Did you pass different or more stringent rules after the FCC rules came out? YES ☒ NO

13. What date?

14. Franchise modification? YES ☒ NO

17. Why were they necessary in your community?

To set minimum standards

18. What sort of evaluation methods are you using to determine compliance? (describe)

Complaints from customers.
Spot checks by Cable Officer

19. Has the operator cooperated in providing necessary or required data? ☒ YES NO

20. Is your operator's compliance with FCC or your rules generally: ☒ GOOD OK BAD

21. Has your operator attempted to pass through costs of complying with the FCC rules? YES ☒ NO

22. Have you seen a decrease in subscriber complaints about service after you adopted FCC customer service rules? YES NO

23. Did you see a decrease in complaints after you implemented your own rules? ☒ YES NO

24. Are there consumer protection laws in your state that you think apply to cable operators or could be applied? ☒ YES NO

NATOA SURVEY ON CUSTOMER SERVICE STANDARDS

Jurisdiction/State CROSSVILLE, TN

Operator(s) INTERMEDIA
MID-SOUTH CABLE TV

FCC Community Unit Identifier # TN0116

Name/Title SALLY OGLESBY

CITY RECORDER

Phone (615) 456-5680

Fax (615) 484-7713

1. Have you adopted the FCC customer service standards and notified operator of same?

☒ YES ☐ NO

2. Date you adopted the rules? 11/15/94

3. Date they become effective in your franchise? 2/27/95

4. Did you have customer service standards in place prior to the FCC's rules? YES ☒ NO

5. Date implemented?

6. Implemented during franchise? YES ☒ NO

7. Did they require a franchise modification? YES ☐ NO

8. Implemented during transfer? YES ☒ NO

9. Implemented at renewal? ☒ YES ☐ NO

10. Were these standards different or more stringent than the FCC's rules? YES ☒ NO

11. Specific problems your standards addressed?

12. Did you pass different or more stringent rules after the FCC rules came out? YES ☐ NO

13. What date?

14. Franchise modification? YES ☐ NO

If possible, please enclose a copy of your standards clearly labelled with:

Jurisdiction Name / Operator Name / Date

IN YOUR OWN OPINION.....

15. Are these new standards different?

How? YES ☐ NO ☐

16. Are these standards more stringent?

How? YES ☐ NO ☐

17. Why were they necessary in your community?

18. What sort of evaluation methods are you using to determine compliance? (describe)

19. Has the operator cooperated in providing necessary or required data? YES ☐ NO ☐

20. Is your operator's compliance with FCC or your rules generally: ☒ GOOD ☐ OK ☐ BAD

21. Has your operator attempted to pass through costs of complying with the FCC rules? YES ☐ NO ☐

22. Have you seen a decrease in subscriber complaints about service after you adopted FCC customer service rules? YES ☐ NO ☐

23. Did you see a decrease in complaints after you implemented your own rules? YES ☐ NO ☐

24. Are there consumer protection laws in your state that you think apply to cable operators or could be applied? YES ☐ NO ☐

ORDINANCE NO. 566

An ordinance to amend the City of Crossville's Municipal Code by creating sections 20-121 through 20-123, regulations governing customer service and consumer protection standards applicable to cable television service.

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF CROSSVILLE, TENNESSEE as follows:

SECTION I. The following new sections are added to the Crossville Municipal Code:

20-121. Cable Television Customer Service and Consumer Protection Standards. Pursuant to authority granted by the Cable Television and Consumer Protection Act of 1992 at 47 U.S.C. 543, and Federal Communications Commission action under the authority of said Act authorizing the City of Crossville to enforce cable television customer service and consumer protection standards within the boundaries of the City; the regulations contained in Title 47 of the Code of Federal Regulations, Part 76, Subpart H, section 76.309, are hereby adopted and incorporated by reference as a part of this code. Any cable television operator franchised to operate within the corporate limits of the City of Crossville shall meet all the standards contained in the regulations cited in this section.

20-122. Definitions. Whenever the regulations cited in section 20-121 refer to "franchising authority", it shall be deemed to be a reference to the Board of Commissioners of the City of Crossville.

20-123. Violation and penalty. Any violation of section 20-121 shall subject the offender to a penalty up to five hundred dollars (\$500) for each offense. Each day the violation shall continue shall constitute a separate offense.

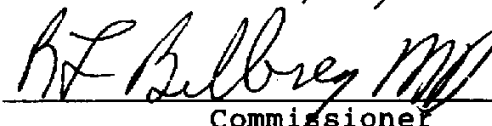
SECTION II. This ordinance shall take effect 90 days after official notification of its final passage is received by the cable operator(s) franchised by the City of Crossville.



Mayor



Commissioner



Commissioner




Commissioner




Commissioner

ATTEST:


City Recorder

APPROVED AS TO FORM:


City Attorney

Passed 1st Reading:	<u>December 14, 1993</u>
Passed 2nd Reading:	<u>January 11, 1994</u>
Passed 3rd Reading:	<u>November 15, 1994</u>

NATOA SURVEY ON CUSTOMER SERVICE STANDARDS

Jurisdiction/State CROSSVILLE, TN

Operator(s) INTERMEDIA
MID-SOUTH CABLE TV

FCC Community Unit Identifier # IN0116

Name/Title SALLY OGLESBY

CITY RECORDER

Phone (615) 456-5680

Fax (615) 484-7713

1. Have you adopted the FCC customer service standards and notified operator of same?

☒ YES ☐ NO

2. Date you adopted the rules? 11/15/94

3. Date they become effective in your franchise? 2/27/95

4. Did you have customer service standards in place prior to the FCC's rules? YES ☒ NO

5. Date implemented?

6. Implemented during franchise? YES ☒ NO

7. Did they require a franchise modification? YES ☐ NO

8. Implemented during transfer? YES ☒ NO

9. Implemented at renewal? ☒ YES ☐ NO

10. Were these standards different or more stringent than the FCC's rules? YES ☒ NO

11. Specific problems your standards addressed?

12. Did you pass different or more stringent rules after the FCC rules came out? YES ☐ NO

13. What date?

14. Franchise modification? YES ☐ NO

If possible, please enclose a copy of your standards clearly labelled with:

Jurisdiction Name / Operator Name / Date

IN YOUR OWN OPINION.....

15. Are these new standards different?

How? YES ☐ NO ☐

16. Are these standards more stringent?

How? YES ☐ NO ☐

17. Why were they necessary in your community?

18. What sort of evaluation methods are you using to determine compliance? (describe)

19. Has the operator cooperated in providing necessary or required data? YES ☐ NO ☐

20. Is your operator's compliance with FCC or your rules generally: ☒ GOOD ☐ OK ☐ BAD

21. Has your operator attempted to pass through costs of complying with the FCC rules? YES ☐ NO ☐

22. Have you seen a decrease in subscriber complaints about service after you adopted FCC customer service rules? YES ☐ NO ☐

23. Did you see a decrease in complaints after you implemented your own rules? YES ☐ NO ☐

24. Are there consumer protection laws in your state that you think apply to cable operators or could be applied? YES ☐ NO ☐

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20-123. Violation and penalty. Any violation of section 20-121 shall subject the offender to a penalty up to five hundred dollars (\$500) for each offense. Each day the violation shall continue shall constitute a separate offense.

SECTION II. This ordinance shall take effect 90 days after official notification of its final passage is received by the cable operator(s) franchised by the City of Crossville.


Mayor


Commissioner


Commissioner



Commissioner


Commissioner

ATTEST:


City Recorder

APPROVED AS TO FORM:


City Attorney

Passed 1st Reading:	<u>December 14, 1993</u>
Passed 2nd Reading:	<u>January 11, 1994</u>
Passed 3rd Reading:	<u>November 15, 1994</u>

NATOA SURVEY ON CUSTOMER SERVICE STANDARDS

Jurisdiction/State Lakewood/Colo.

Operator(s) TCI

FCC Community Unit Identifier # _____

Name/Title Joni Inman

Citizens Outreach Mgr

Phone 303-987-7050

Fax 303-987-7063

1. Have you adopted the FCC customer service standards and notified operator of same? YES ~~NO~~

2. Date you adopted the rules? 10/94

3. Date they become effective in your franchise? 10/94

4. Did you have customer service standards in place prior to the FCC's rules? YES NO

5. Date implemented?

6. Implemented during franchise? YES NO

7. Did they require a franchise modification? YES NO

8. Implemented during transfer? YES NO

9. Implemented at renewal? YES NO

10. Were these standards different or more stringent than the FCC's rules? YES NO

11. Specific problems your standards addressed?

Enhanced FCC standards

12. Did you pass different or more stringent rules after the FCC rules came out? YES NO

13. What date? 10/94

14. Franchise modification? YES NO

Adopted as a Municipal Ordinance

If possible, please enclose a copy of your standards clearly labelled with:

Jurisdiction Name / Operator Name / Date

IN YOUR OWN OPINION.....

15. Are these new standards different? How? YES NO

Metro wide standards -

20+ cities

Greater Metro Cable Consortium

16. Are these standards more stringent? How? YES NO

Much more complete in the area of treatment of private property.

17. Why were they necessary in your community?

Current TCI Rebuild causing problems

18. What sort of evaluation methods are you using to determine compliance? (describe)

3 month study/clarification period w/ TCI.

Annual Review

No pass-through costs

19. Has the operator cooperated in providing necessary or required data? YES NO

20. Is your operator's compliance with FCC or your rules generally: GOOD OK BAD

21. Has your operator attempted to pass through costs of complying with the FCC rules? YES NO

22. Have you seen a decrease in subscriber complaints about service after you adopted FCC customer service rules? YES NO

23. Did you see a decrease in complaints after you implemented your own rules? YES NO

24. Are there consumer protection laws in your state that you think apply to cable operators or could be applied? YES NO

Mail to:

Customer Service

William Cook

Arnold & Porter

1200 New Hampshire Ave NW
Washington, DC

20036

Include Cust. Service Standards

A BILL FOR AN

ORDINANCE REGULATING CUSTOMER SERVICE STANDARDS FOR THOSE
ENTITIES PROVIDING CABLE TELEVISION SERVICES WITHIN THE CITY OF
LAKEWOOD

WHEREAS, the City of Lakewood is a member of the Greater Metro Cable Consortium, an organization of municipalities founded to alleviate consumer concerns about cable television services; and

WHEREAS, the Greater Metro Cable Consortium has produced customer service standards ensuring that cable subscribers will receive high quality service and protection from unfair or unprofessional practices; and

WHEREAS, it is desirable for the City Council of the City of Lakewood to adopt said customer service standards to ensure cable television consumer protection for its citizens and to ensure uniform customer service standards throughout the metropolitan area.

NOW, THEREFORE, Be It Ordained by the City Council of the City of Lakewood, Colorado, that:

Section 1. A new Chapter 5.45 of the Lakewood Municipal Code is hereby adopted as follows:

5.45.010 SHORT TITLE. This ordinance shall be known as the Lakewood Cable Television Customer Service Standards Ordinance.

5.45.020 POLICY FOR CUSTOMER SERVICE STANDARDS

The Cable Operator should be permitted the option and autonomy to first resolve citizen complaints without delay and interference from the Franchising Authority.

Where a given complaint is not addressed by the Cable Operator to the citizen's satisfaction, the Franchising Authority should intervene. In addition, where a pattern of, or unremedied, noncompliance with the Standards is identified, the Franchising Authority should prescribe a cure and establish a thirty (30) day deadline for implementation of the cure. If the noncompliance is not cured within thirty (30) days, monetary sanctions should be imposed to encourage compliance.

These Standards are intended to be of general application; however, the Cable Operator shall be relieved of any obligations hereunder it is unable to perform due to a region-wide natural emergency or in the event of force majeure affecting a significant portion of the franchise

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area. The Cable Operator is free to exceed these Standards to the benefit of its Customers and such shall be considered performance for the purposes of these Standards.

5.45.030 DEFINITIONS

When used in these Customer Service Standards (the "Standards"), the following words, phrases, and terms shall have the meanings given below.

- (1) "Adoption" shall mean the process necessary to formally enact the Standards within the Franchising Authority's jurisdiction, or to approve the Model Franchise Agreement adopted by the TCI Renewal Group of the GMCC (the "MFA") incorporating the Standards, under applicable ordinances and laws.
- (2) "Cable Operator" shall mean any person or group of persons (A) who provides cable service over a cable system and directly or through one or more affiliates owns a significant interest in such cable system, or (B) who otherwise controls or is responsible for, through any arrangement, the management and operation of such a cable system.
- (3) "City" shall mean the City of Lakewood, Colorado.
- (4) "Customer" shall mean any person who receives service of any sort from the Cable Operator.
- (5) "Customer Service Representative" (or "CSR") shall mean any person employed by the Cable Operator to assist, or provide service to, customers, whether by answering public telephone lines, writing service or installation orders, answering customers' questions, receiving and processing payments, or performing other customer service-related tasks.
- (6) "Franchising Authority" shall mean the City and/or the Greater Metro Cable Consortium, and/or, in the MFA, the Grantor.
- (7) "Greater Metro Cable Consortium" or "GMCC" shall mean a Colorado agency formed by intergovernmental agreement between its Members, local governmental subdivisions of the State of Colorado. The GMCC may be delegated the authority to enforce cable television franchises and cable system operations for its Member communities, and may administer any or all functions under these Standards.

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5.45.040 CUSTOMER SERVICE

(1) Courtesy

All employees of the Cable Operator shall be courteous, knowledgeable and helpful and shall provide effective and satisfactory service in all contacts with customers.

(2) Accessibility

- (a) Within sixty (60) days of the effective date of these Standards, the Cable Operator shall provide, at sites acceptable to the Franchising Authority, customer service centers/business offices ("service centers") such that no customer shall be located further than ten (10) miles away from a service center. Except as otherwise approved by the Franchising Authority, all service centers shall be open Monday through Friday from 8:00 a.m. to 6:00 p.m., and from 9:00 am to 1:00 p.m. Saturdays, and shall be fully staffed with customer service representatives offering the following services to customers who come to the service center: bill payment, equipment exchange, processing of change of service requests, and response to customer inquiries and requests. The Franchising Authority may approve alternatives for service centers offering lesser services at any site to which the public has general access. The Cable Operator shall post a sign at each service center advising customers of its hours of operation and of the addresses and telephone numbers at which to contact the Franchising Authority and the Cable Operator if the service center is not open at the times posted. The Cable Operator shall provide free exchanges of faulty converters at the customer's address.
- (b) The Cable Operator shall maintain local telephone access lines that shall be available twenty-four (24) hours a day, seven (7) days a week for service/repair requests and billing inquiries.
- (c) The Cable Operator shall have dispatchers and technicians on call twenty-four (24) hours a day, seven (7) days a week, including legal holidays.
- (d) The Cable Operator shall retain sufficient customer service representatives and telephone line capacity to ensure that telephone calls to service/repair and billing inquiry lines are answered by a customer service representative within thirty (30) seconds or less, and that any transfers are made within thirty (30) seconds. These standards shall be met no less than 90 percent of the time measured monthly.

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- (e) The total number of calls receiving busy signals shall not exceed three percent (3%) of the total telephone calls. This standard shall be met ninety percent (90%) or more of the time measured monthly.
- (3) Responsiveness
- (a) Guaranteed Seven-Day Residential Installation
 - i) The Cable Operator shall complete all standard residential installations requested by customers within seven (7) business days after the order is placed, unless a later date for installation is requested. "Standard" residential installations are those located up to one-hundred twenty-five (125) feet from the existing distribution system. If the customer requests a nonstandard residential installation, or the Cable Operator determines that a nonstandard residential installation is required, the Cable Operator shall provide the customer in advance with a total installation cost estimate and an estimated date of completion.
 - ii) All underground cable drops from the curb to the home shall be buried at a depth of no less than twelve (12) inches, and within no more than one calendar week from the initial installation, or at a time mutually agreed upon between the Cable Operator and the customer.
 - (b) Residential Installation and Service Appointments
 - i) Customers requesting installation of cable service or service to an existing installation may choose any of the following blocks of time for the installation appointment: 8:00 a.m. to 12:00 Noon; 12:00 Noon to 4:00 p.m.; 4:00 p.m. to 8:00 p.m.; or a four (4)-hour block of time mutually agreed upon by the customer and the Cable Operator. The Cable Operator may not cancel an appointment with a customer after 5:00 p.m. on the day before the scheduled appointment, except for appointments scheduled within twelve (12) hours after the initial call.
 - ii) The Cable Operator shall contact by telephone, mail, or in person, every customer within two (2) weeks after installation to assure the customer's satisfaction with the work completed. All responses shall be recorded, and retained by the Cable Operator, and made available to the Franchising Authority upon request.

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- iii) The Cable Operator shall be deemed to have responded to a request for service under the provisions of this section when a technician arrives within the agreed upon time, and, if the customer is absent when the technician arrives, the technician leaves written notification of arrival and return time, and a copy of that notification is kept by the Cable Operator. In such circumstances, the Cable Operator shall contact the customer within forty-eight (48) hours.

(c) Residential Service Interruptions

- i) In the event of system outages (loss of reception on all channels) resulting from Cable Operator equipment failure affecting five (5) or more customers, the Cable Operator shall correct such failure within two (2) hours after the third (3rd) customer call is received.
- ii) All other service interruptions resulting from Cable Operator equipment failure shall be corrected by the Cable Operator by the end of the next calendar day.
- iii) The Cable Operator shall keep an accurate and comprehensive file of any and all complaints regarding the cable system or its operation of the cable system, in a manner consistent with the privacy rights of customers, and the Cable Operator's actions in response to those complaints. These files shall remain open to the Franchising Authority and the public during normal business hours. Grantee shall provide Grantor an executive summary monthly, which shall include information concerning customer complaints. A summary of service requests, identifying the number and nature of the requests and their disposition, shall also be completed by the Cable Operator for each month and submitted to the Franchising Authority by the tenth (10th) day of the succeeding month. A log of all service interruptions shall be maintained and provided to the Franchising Authority quarterly.
- iv) All service outages and interruptions for any cause beyond the control of the Cable Operator shall be corrected within thirty-six (36) hours, after the conditions beyond its control have been corrected.

(d) TV Reception

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- i) The Cable Operator shall provide clear television reception that meets or exceeds technical standards established by the United States Federal Communications Commission (the "FCC"). The Cable Operator shall render efficient service, make repairs promptly, and interrupt service only for good cause and for the shortest time possible. Scheduled interruptions shall be preceded by notice and shall occur during periods of minimum use of the system, preferably between midnight and six (6:00) a.m.
 - ii) If a customer experiences poor video or audio reception attributable to the Cable Operator's equipment, the Cable Operator shall repair the problem no later than the day following the customer call. If an appointment is necessary, customer may choose the same blocks of time described in Section 5.45.030(C)(2)(a). At the customer's request, the Cable Operator shall repair the problem at a later time convenient to the customer.
- (e) Problem Resolution

The Cable Operator's customer service representatives shall have the authority to provide credit for interrupted service or any of the other credits listed in Schedule A, to waive fees, to schedule service appointments and to change billing cycles, where appropriate. Any difficulties that cannot be resolved by the customer service representative shall be referred to the appropriate supervisor who shall contact the customer within four (4) hours and resolve the problem within forty-eight (48) hours or within such other time frame as is acceptable to the customer and the Cable Operator.
- (f) Billing, Credits, and Refunds
 - i) Cable Operator shall convert to the Anniversary Billed System or similar system of billing as set forth in Schedule B no later than December 31, 1996. The Cable Operator shall submit reports to the Franchising Authority regarding its progress towards converting to said system at least quarterly. Should these reports indicate that the conversion can practicably take place prior to the above-mentioned date, Cable Operator shall so convert. On the date when the Cable Operator converts to the Anniversary Billing System, the following conditions shall apply: The Cable Operator shall allow at least thirty (30) days from the beginning date of the applicable service period for

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payment of a customer's service bill for that period. If a customer's service bill is not paid within that period of time the Cable Operator may apply an administrative fee to the customer's account. If the customer's service bill is not paid within forty-five (45) days of the beginning date of the applicable service period, the Cable Operator may perform a "soft" disconnect of the customer's service. If a customer's service bill is not paid within fifty-two (52) days of the beginning date of the applicable service period, the Cable Operator may disconnect the customer's service, provided it has provided two (2) weeks' notice to the customer that such disconnection may result.

- ii) The Cable Operator shall issue a credit or refund to a customer within thirty (30) days after determining the customer's entitlement to a credit or refund.

(g) Treatment of Property

- i) The Cable Operator shall keep tree trimming to a minimum; trees and shrubs or other landscaping that are damaged by the Cable Operator, any employee or agent during installation or construction shall be restored to their prior condition or replaced. Trees and shrubs shall not be removed without the prior permission of the owner or legal tenant of the property on which they are located. This provision shall be in addition to, and shall not supersede, any requirement in any franchise agreement.
- ii) The Cable Operator shall, at its own cost and expense, and in a manner approved by the property owner and the Franchising Authority, restore any property to as good condition as before the work causing such disturbance was initiated. The Cable Operator shall repair, replace or compensate a property owner for any damage resulting from the Cable Operator's installation, construction, service or repair activities.
- iii) Except in the case of an emergency involving public safety or service interruption to a large number of subscribers, the Cable Operator shall give reasonable notice to property owners or legal tenants prior to entering upon private premises, and the notice shall specify the work to be performed; provided that in the case of construction operations such notice shall be delivered or provided at least twenty-four (24) hours prior to entry. Nothing herein shall be construed as authorizing access

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